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11 UNITED STATES BANKRUPTCY COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 In re ) Case No. 19-30088 (DM)  
15 PG&E CORPORATION, )  
16 ) Chapter 11  
and )  
17 ) (Lead Case–Jointly Administered)  
18 PACIFIC GAS AND ELECTRIC )  
COMPANY )  
19 Debtors ) **MOTION FOR ORDER**  
20 ) **AUTHORIZING WITHDRAWAL OF**  
Affects: ) **COUNSEL TO KELLY BATISTA**  
21 )  
22 ☐ PG&E Corporation )  
23 ☐ Pacific Gas & Electric Company )  
24 ☒ Both Debtors )  
25 \* All papers shall be filed in the Lead )  
Case, No. 19-30088 (DM). )  
26 )

1 Robins Cloud LP (“Firm”), counsel of record<sup>1</sup> for creditor, Kelly Batista (“Creditor”),  
2 respectfully submits this Motion for Order Authorizing Withdrawal of Counsel (“Motion”) pursuant to  
3 Rules 1001-2, 9013-1, 9013-2, 9013-3 and 9014 of the Bankruptcy Court’s Local Rules.

4 In support of this Motion, the Firm represents as follows:

5 **1. Relevant Facts**

6 **a. General Background**

7 In January 2019, the Debtors filed voluntary Chapter 11 petitions, commencing these cases. Dkt  
8 No. 1; Bryson Decl. ¶4.

9 Initially, the Court set a claims bar of October 21, 2019. Dkt. No. 2806. The claims bar date was  
10 extended to December 31, 2019, to allow certain fire victims additional time to file claims against the  
11 Debtors. Dkt. No. 4651.

12 Jointly, the Debtors proposed a chapter 11 plan of reorganization that, among other things,  
13 channeled all fire victim claims to the Fire Victim Trust (“Plan”). Dkt. No. 8048. On June 20, 2020, the  
14 Court entered an order confirming Debtors’ Plan. Dkt. No. 8053.

15 **b. Creditor’s Refusal to Communicate with the Firm**

16 In December 2019, the Firm filed Proof of Claim No. 94483 (“Claim”) on behalf of Creditor.  
17 Since filing the Claim, the Firm has been unable to communicate with Creditor. Bryson Decl. ¶5. The  
18 Firm has attempted to contact Creditor by telephone, email, and letter, all to no avail. *Id.* Creditor  
19 refuses to speak or otherwise communicate with the Firm. *Id.* Further, the Firm hired a private  
20 investigator to locate Creditor and facilitate communication between the Firm and Creditor. The  
21 investigator failed to locate Creditor. Bryson Decl. ¶6.

22 Creditor’s refusal to communicate with the Firm confirms that an irreconcilable breakdown in  
23 the attorney-client relationship has developed and Creditor no longer desires to be represented by the  
24 Firm. Bryson Decl. ¶7. Based on these circumstances, good cause exists for the Court to enter an order  
25 relieving the Firm as counsel of record for Creditor.

26 \_\_\_\_\_  
27 <sup>1</sup> Robins Cloud LLP retained Grimshaw Law Group, P.C. as bankruptcy counsel to, among other  
28 things, assist it in filing this motion. Grimshaw Law Group has no contractual or attorney/client  
relationship with Creditor. Declaration of Robert Bryson in Support of Motion for Order Authorizing  
Withdrawal of Counsel (“Bryson Decl.”), ¶2, fn.1.

1 **2. Argument**

2 Pursuant to Rule 11-5 (a) of the Local Civil Rules in force in the Northern District of  
3 California, “counsel may not withdraw from an action until relieved by order of Court after written  
4 notice has been given reasonably in advance to the client and to all other parties who have appeared in  
5 the case.”

6 Furthermore, California’s professional ethics Standing Committee has opined that when  
7 seeking leave of court to withdraw as counsel, it will “ordinarily...be sufficient [for an attorney] to say  
8 only words to the effect that ethical considerations require withdrawal or that there has been an  
9 irreconcilable breakdown in the attorney-client relationship.” Formal Opinion No. 2015-192.

10 In the case at bar, the existence of an irreconcilable breakdown of the attorney-client  
11 relationship is manifest in Creditor’s refusal to communicate with the Firm. This constitutes good  
12 cause for the Court to grant leave for the Firm to withdraw as counsel of record.

13 To the extent that Creditor requests that the Firm turn over any files or information to which  
14 Creditor is entitled, the Firm will cooperate and transmit such files. Bryson Decl., ¶8.

15 **3. Conclusion**


16 For the foregoing reasons and for the reasons set forth in the Declaration of Robert Bryson,  
17 submitted in support of this Motion, the Firm respectfully requests that the Court enter an Order  
18 granting the Firm leave to withdraw as counsel of record for Creditor.

19 DATED: February 5, 2021

ROBINS CLOUD LLP

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